

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed November 13, 2003. Reconsideration and allowance of the application and pending claims 1 – 18 are respectfully requested.

I. Claims 1 – 13 are Patentable Over the Cited Art

The Office Action rejects claims 1, 2, 4, 6-9, 11 and 13 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,095,196 to Miyata (“the ‘196 patent”). The Office Action rejects dependent claims 3 and 10 under 35 U.S.C. 103(a) as allegedly being unpatentable over the ‘196 patent in view of U.S. Patent Application Publication No. 2003/0110467 to Balakrishnan (“the ‘467 application”).

Applicants respectfully submit that claims 1 – 13 are patentable over the cited art because the references fail to disclose, teach, or suggest all of the limitations of the claims. Specifically, independent claim 1 is directed to a data warehousing system, and recites:

a plurality of ***uniquely-identifiable*** data capturing devices;
and
a warehouse for receiving and storing at least one set of captured data from each device ***according to an identity of the device*** that captured each data set.

Independent claim 8 is directed to a method of warehousing data, and recites:

receiving at least one set of captured data from each of a plurality of ***uniquely-identifiable*** data capturing devices; and
storing the received data sets ***according to an identity of the device*** that captured each data set.

In this regard, Applicants submit that the cited art does not disclose, teach, or suggest at least the features/elements/limitations identified above in bold and italics. More specifically, the cited references fail to disclose, teach, or suggest the feature;element/limitation of storing

data sets from the uniquely-identifiable data capturing devices according to the identity of the corresponding device.

Contrary to the assertion in the Office Action, the '196 patent does not disclose, teach, or suggest these features. The Office Action alleges that the '196 patent discloses these features in Figs. 2, 3A and 14 and in the specification at col. 3, l. 60 – col. 4, l. 30 and col. 9, ll. 38 – 65. Applicants carefully reviewed these citations and the remainder of the document, and respectfully submit that the features identified above are not disclosed, taught, or suggested by the '196 patent.

The '196 patent discloses a check point security system for examining a photo identification card to determine whether a passer is authorized to enter a secure area. The '196 patent merely discloses the use of devices, such as a video camera 26 and an image scanner 27, for capturing images of the passer and/or for capturing data from the photo identification card. Applicants note that, unlike independent claims 1 and 8, the data capture devices disclosed in the '196 patent are not *uniquely-identifiable*. Rather, these devices are merely used to capture various types of data (e.g., an image of the passer, a bar code on the photo identification card). The identity of the data capturing device in the system of the '196 patent is irrelevant.

Furthermore, Applicants note that the data captured by the devices of the '196 patent is not even stored. Not only is the data not stored, but the system of the '196 patent does not *store* data captured by the *uniquely-identifiable* data capturing devices *according to the identity of the device*. Thus, unlike the '196 patent, the identity of the data capturing devices in claims 1 and 8 is used to store the captured data.

Therefore, Applicants respectfully submit that independent claims 1 and 8 are patentable over the '196 patent for at least the reason that the reference fails to disclose, teach,

or suggest these features. Dependent claims 2 – 7 (which depend from independent claim 1) and dependent claims 9 – 12 (which depend from independent claim 8) are also patentable over the ‘196 patent for at least the reason that these claims include all of the features/limitations/elements of the corresponding base claim. Accordingly, Applicants respectfully request that the rejection of these claims be withdrawn and the claims be allowed.

II. Claims 14 – 18 are Patentable Over the Cited Art

The Office Action rejects claims 14-18 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2001/0032335 to Jones (“the ‘335 application”).

Applicants respectfully submit that claims 14 – 18 are patentable over the ‘335 application for at least the reason that the reference fails to disclose, teach, or suggest all of the limitations of the claims. Specifically, independent claim 14 is directed to a computer readable medium for warehousing data, and recites the feature/limitation/element of “logic that *stores* the received *data sets according to an identity of the device* that captured each data set.” Applicants respectfully submit that the ‘335 application does not disclose, teach, or suggest this feature/limitation/element.

The ‘335 application discloses a real-time picture communications system that enables various users of image capture devices to exchange images with each other. The ‘335 patent discloses a picture communications network subsystem 26, which includes a registry 28 that includes information about the users, devices, and groups. Applicants note that the information stored in the registry 28 is merely used for the purpose of authenticating users and defining various “access rights.” The “access rights” feature enables each user to define other users, devices, and groups that are permitted to exchange pictures with the user. The

registry 28 does NOT store the captured pictures. As disclosed in Fig. 6 and the corresponding description, the images are *directly transmitted* over the open communication session between the users. Even assuming for the sake of argument that the images are temporarily stored in some manner to effectuate transmission, the '335 patent does not disclose, teach, or suggest the feature/limitation/element of storing the captured data set according to the identify of the device that captured the data set.

Therefore, Applicants respectfully submit that independent claim 14 is patentable over the '335 application for at least the reason that the reference fails to disclose, teach, or suggest these features. Dependent claims 15 – 18 (which depend from independent claim 14) are also patentable over the '335 application for at least the reason that these claims include all of the features/limitations/elements of the corresponding base claim. Accordingly, Applicants respectfully request that the rejection of these claims be withdrawn and the claims be allowed.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all rejections have been traversed, and that pending claims 1 – 18 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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Rhonda Zafford

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